



Executive Officer's Report to the Board January 23, 2004

Board Updates

Governor Signs 2003 Government Claims Bill

Governor Arnold Schwarzenegger on Tuesday signed Assembly Bill 283 (Campbell) . This bill (previously introduced as Senate Bill 96-Alpert), sponsored by the Board, appropriates \$2,017,905.90 from various state funds for the payment of 467 claims approved by the Board. The bill contained an urgency clause.

The Board is working closely with the Governor's Office, Department of Finance and the State Controller's Office to expedite payment of the claims approved in AB 283 as quickly as possible. One claimant, David Quindt, an erroneously convicted felon wrongfully jailed for a Sacramento murder in 1998, received a check for \$17,200 late Wednesday night. The check represents \$100 a day for each of the 172 days he spent behind bars before an informant came forward and directed prosecutors to the crime's real culprits.

Proposal for New Compensation Staff Training Curriculum Moves Forward

In December, Interim Executive Officer Catherine Close submitted a proposal to John Gillis, Director of the Federal Office for Victims of Crime (OVC), for funds to develop a training curriculum for compensation personnel. Ideally, this training could be used in California and also adapted for use in other states. There is a notable lack of training tools and opportunities directed toward compensation personnel across the nation. This training would include information on:

- The criminal justice system;
- The child protective services system;
- Trauma and the immediate-, short-, and long-term effects of victimization;
- How to effectively and sensitively communicate with victims in person and on the telephone;
- Terminology, practices and service delivery system of the medical field;
- Dental treatment terminology and practices;
- Mental health treatment terminology, practices and service delivery system;
- The funeral industry;
- The insurance industry;
- Disability issues and programs;
- Cultural competence in service delivery;
- Public benefits; and
- Other programs that assist crime victims.

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In 2003, the Board contracted with the California State Personnel Board to conduct a job analysis and develop an employment examination for the Victim Compensation Specialist (VCS) classification. This was the first time a job analysis had been performed for this classification since 1994. The yearlong process involved a review of background information; on-site interviews with selected VCSs, support staff and supervisors; and a job-analysis questionnaire administered to all VCSs. The resulting analysis detailed the tasks required in the job as well as the knowledge, skills and abilities (KSAs) required for each of those tasks. Over 47 separate tasks were identified, and the study catalogued 84 different KSAs. Though the policies differ, tasks do not change very much from state to state. This job analysis provides an excellent foundation for building a competency-based compensation specialist training curriculum. Coupled with the availability of this analysis, the large number of staff performing these tasks in California puts the state in a position to be able to develop a new, portable curriculum for use across the country.

On Thursday, January 15, Ms. Close and Chief Deputy Executive Officer Rich Anderson met with Director Gillis, visiting in California, to explore the proposal and ideas behind it. Staff will soon work on a formal plan and budget to be formally submitted to OVC.

Revenue Recovery

Meetings

On January 8, Deputy Executive Officer David Shaw provided restitution training to approximately 90 judges at the Judges Central Criminal Judicial District meeting in Los Angeles. Mr. Shaw presented an overview of the Victim Compensation Program, restitution orders and fines, which was well received by the judges, and he received numerous requests for his PowerPoint presentation, follow-up presentations, and additional printed materials. The judges were very appreciative of the new restitution cheat sheets and restitution brochures, offering to reprint and distribute them at their expense. They urged Mr. Shaw to provide more restitution training for the Los Angeles deputy district attorneys and probation officers.

Several judges expressed the belief that restitution orders are largely ineffective in Los Angeles because probation officers and deputy district attorneys rarely determine a victim's losses prior to sentencing. The judges acknowledged that orders are rarely, if ever, modified post-sentencing allowing most offenders to evade the responsibility to reimburse victims for their losses. Several judges said they believe it is inappropriate to try to determine victim losses because it places the judge in the role of becoming an advocate for the victim.

The pressure to rapidly move prisoners out of the overcrowded Los Angeles County Jail is a major disincentive to continue criminal cases while victim losses are determined. Jail overcrowding also makes the returning of California Department of Corrections prisoners to Los Angeles County (as Alameda County recently did) to set restitution order amounts unlikely.

Restitution Trainings for Probation Officers

Revenue Recovery staff and staff from the California Department of Corrections provided joint trainings on January 13-14 and January 20-21 to adult and juvenile probation officers in Los Angeles and San Joaquin counties.

Franchise Tax Board Court-Ordered Debt Collection Program

The Franchise Tax Board is beginning court-ordered debt collection from offenders released from parole with delinquent restitution obligations. The California Department of Corrections has submitted approximately \$47 million in outstanding post-parolee restitution obligations to the Board for initial collection. The total amount to be collected will increase monthly as new offenders are released from parole and when the Board begins collection from offenders released from probation. Before remitting the money to the Restitution Fund, the Franchise Tax Board collects a 15 percent administrative fee.

Liens and Overpayments Section (LORS)

During December 2003, LORS collected \$110,834.10 from civil suits, auto insurance, workers' compensation and overpayments on behalf of the Victim Compensation Program.

Hearing and Appeals

During December 2003, 72 claims were scheduled. Between December 19, 2003, and January 23, 2004, a total of 68 hearings were scheduled.

Upcoming Events

(The conferences and events listed below are for informational purposes only.)

California District Attorneys' Association (CDAA) Statewide Winter Conference

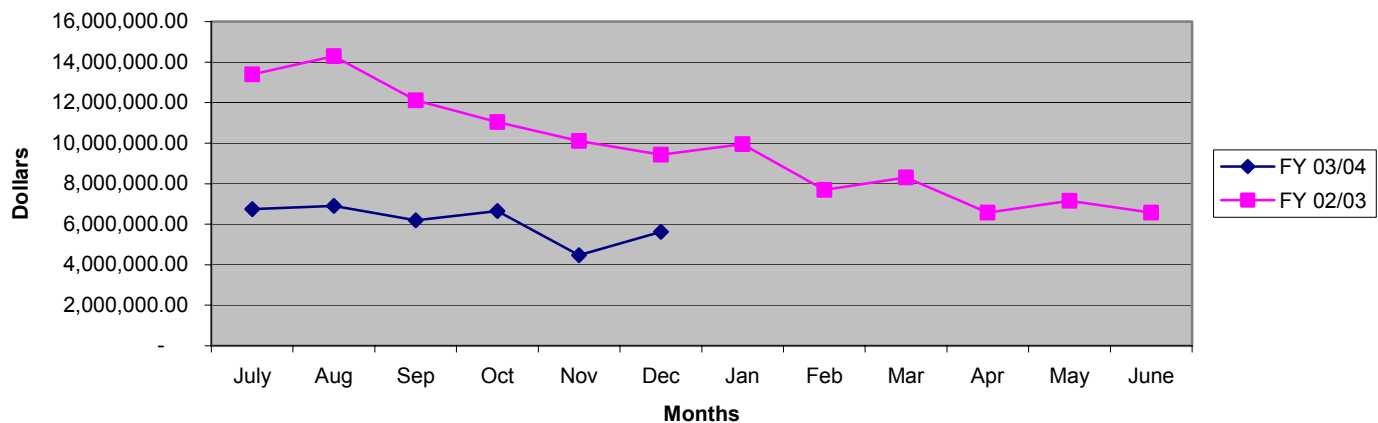
Sponsored by CDAA and the Victim Witness Coordinating Council, this conference will be held January 26-30 in Santa Barbara. The conference agenda includes a Victim Witness Summit that features a historical look at victim witness programs, community crisis response, best practices, and a presentation by Board staff DEO Dave Shaw and Acting Director of Legislation Jennifer Shaffer on restitution and District Attorney responsibilities.

Victim Compensation Program Activity

VCP PAYMENTS

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	\$5,624,285	\$36,576,479	-48%
FY 02/03		\$70,384,595	

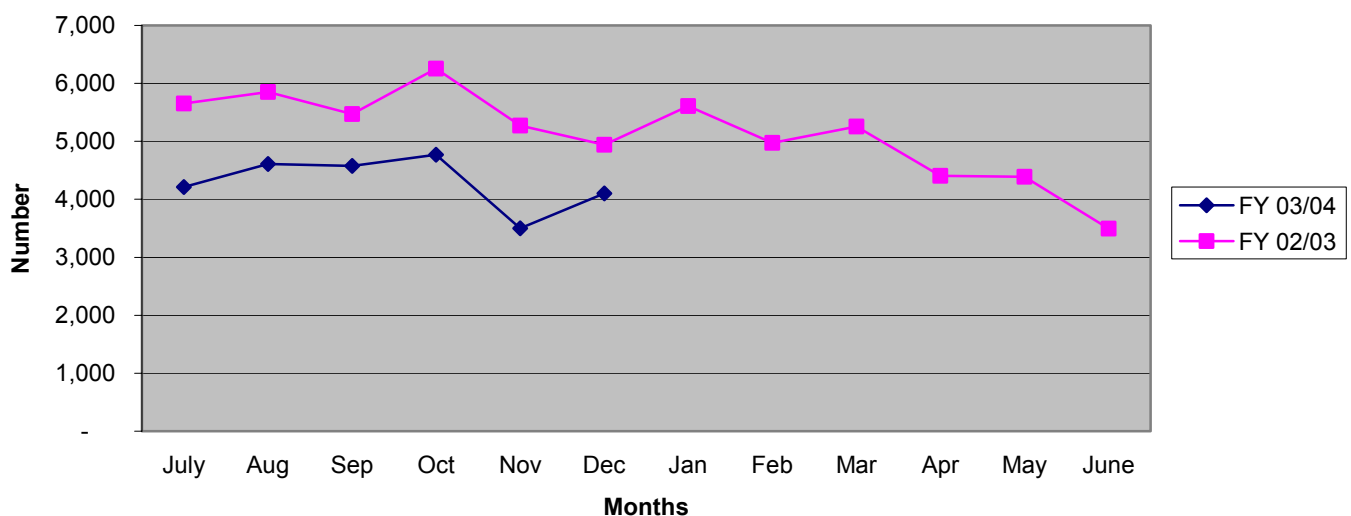
Payment Awards



VCP NUMBER OF APPLICATIONS RECEIVED

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	4,100	25,763	-23%
FY 02/03		33,441	

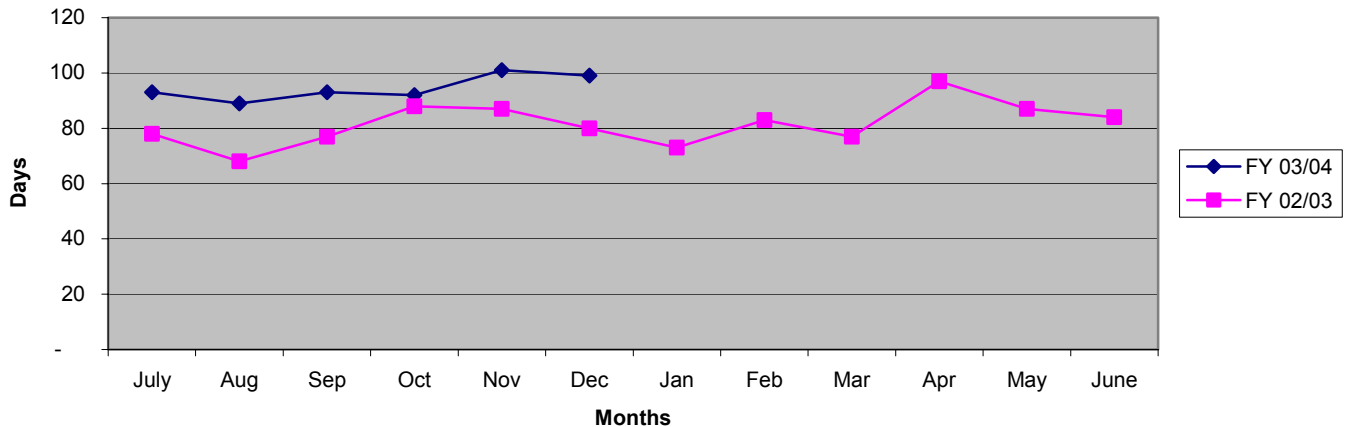
Number of VCP Applications Received



VCP APPLICATION PROCESSING TIME IN DAYS

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior
FY 03/04	99	95	19%
FY 02/03		80	

VCP Application Processing Time

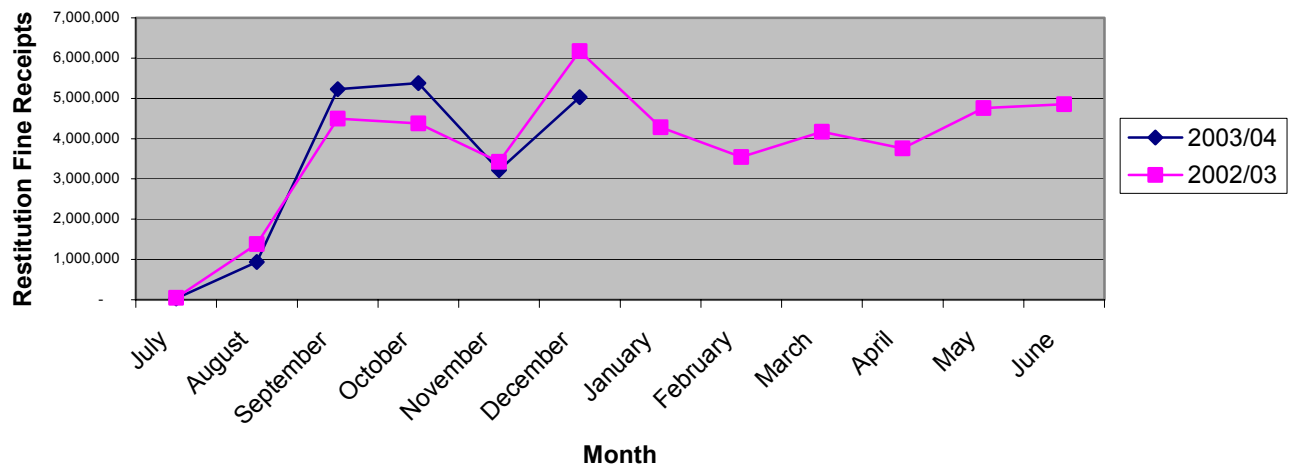


Revenue and Recovery

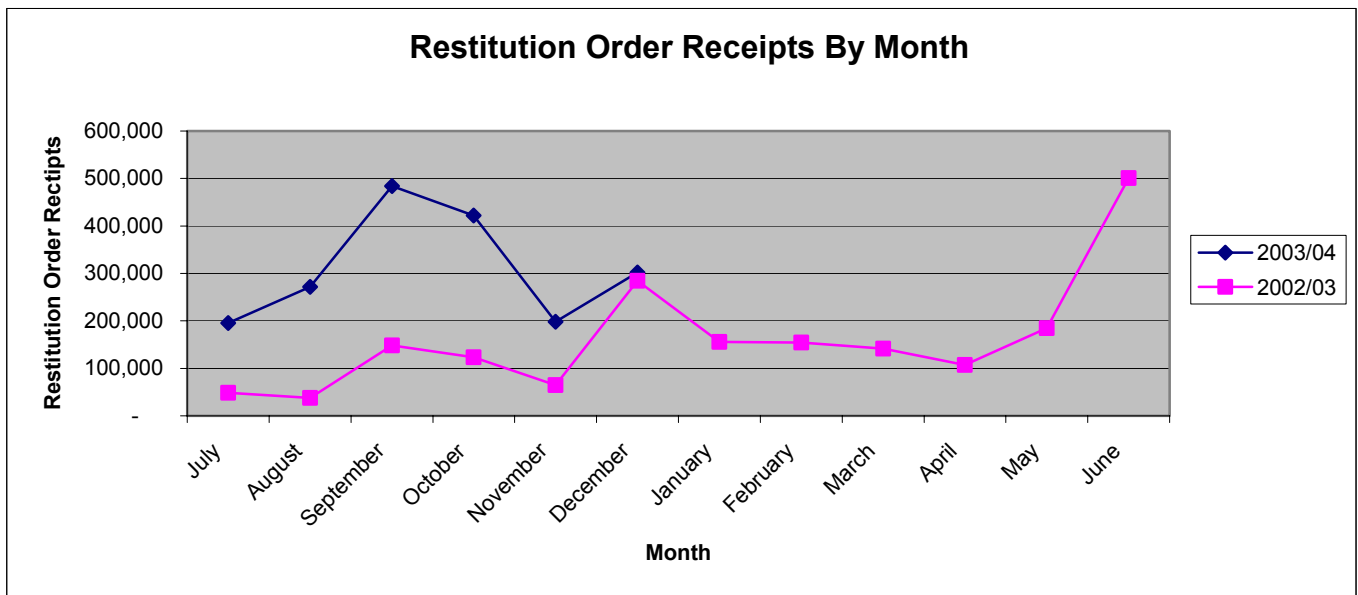
RESTITUTION FINES

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	\$5,032,608	\$19,825,567	0%
FY 02/03		\$19,897,488	

Restitution Fine Receipts By Month

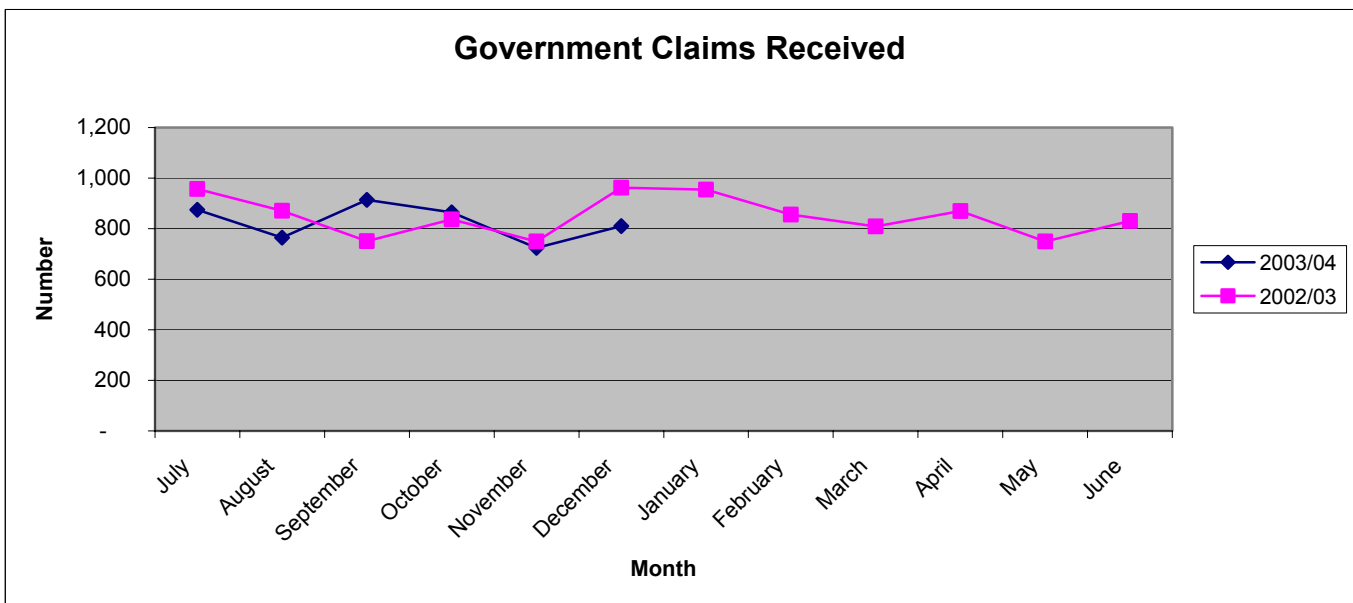


RESTITUTION ORDERS			
Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	\$301,928	\$1,873,247	165%
FY 02/03		\$707,257	



Government Claims

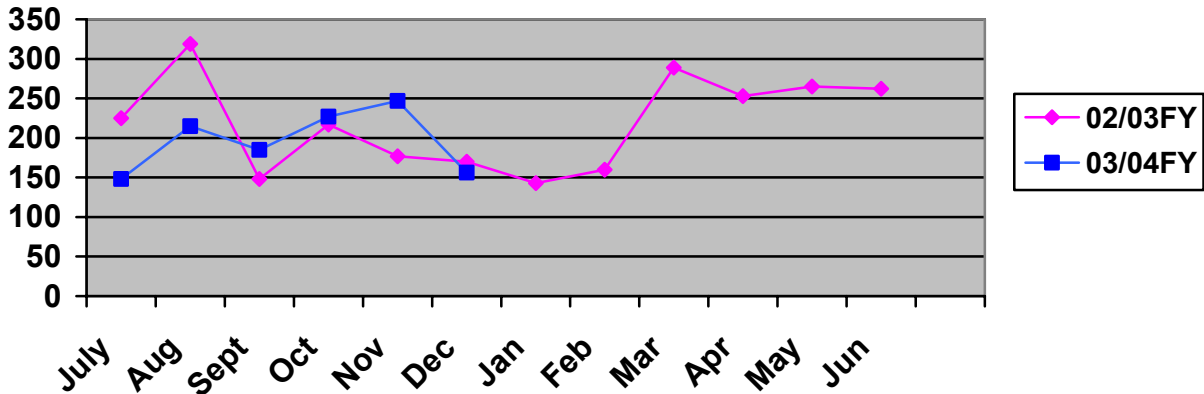
GOVERNMENT CLAIMS RECEIVED			
Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	810	4,951	-3%
FY 02/03		5,128	



CONTRACT CLAIMS – AVERAGE PROCESSING TIME

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	156	204	9%
FY 02/03		188	

Contract Claims- Average Processing Time

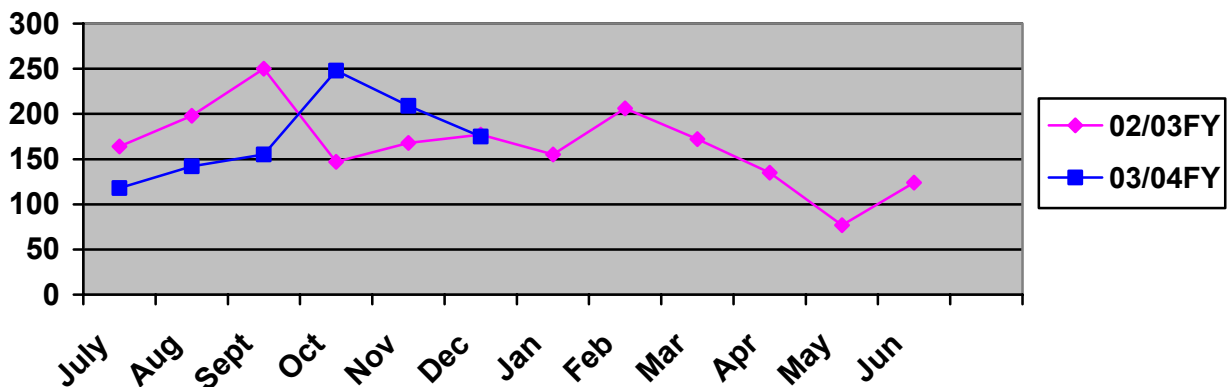


Contract claims -These are typically claims where a vendor has provided services to the State, but a purchase order or contract was not officially in place at the time the services were performed and, therefore, the affected agency does not have the authority to pay the invoice without the Board's approval.

EQUITY CLAIMS – AVERAGE PROCESSING TIME

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	175	180	0%
FY 02/03		181	

Equity Claims - Average Processing Time

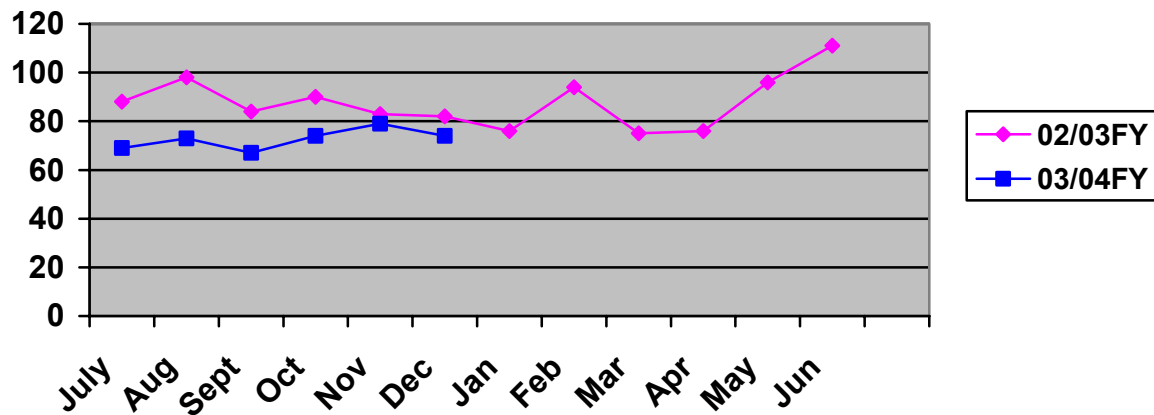


Equity Claims - These are claims where there is no legal liability on the part of the State to pay, but for which the claimant has asked the Board to exercise its equity power to provide payment in fairness for the action or inaction of a State agency. Also included to a large degree are outdated warrants (State-issued checks that went un-cashed for more than 3 years).

TORT CLAIMS – AVERAGE PROCESSING TIME

Fiscal Year Comparison	Month of December	Fiscal Year to Date	% Change from Prior FY
FY 03/04	74	73	-17%
FY 02/03	82	88	

Tort Claims - Average Processing Time



Tort Claims –These are claims for damages filed against specific State agencies. These claims are generally rejected, but are a required administrative action to be taken by a claimant prior to bringing civil action against the State in a court of law. The filing of the Tort claim gives the State advance notice of potential future litigation.